

§ 176.77

49 CFR Ch. I (10–1–07 Edition)

“on deck” stowage because of the vessel’s design. Tank cars must be Class DOT-113 or AAR-204W tank cars.

(h) A fumigated cargo transport unit may only be transported on board a vessel subject to the following conditions and limitations:

(1) The fumigated cargo transport unit may be placed on board a vessel only if at least 24 hours have elapsed since the unit was last fumigated;

(2) The fumigated cargo transport unit is accompanied by a document showing the date of fumigation and the type and amount of fumigant used;

(3) Prior to loading, the master is informed of the intended placement of the fumigated cargo transport unit on board the vessel and the information provided on the accompanying document;

(4) Equipment that is capable of detecting the fumigant and instructions for the equipment’s use is provided on the vessel;

(5) The fumigated cargo transport unit must be stowed at least 5 m from any opening to accommodation spaces;

(6) Fumigated cargo transport units may only be transported on deck on vessels carrying more than 25 passengers; and

(7) Fumigants may not be added to cargo transport units while on board a vessel.

(i) A cargo transport unit packed or loaded with flammable gas or flammable liquid having a flashpoint below +23 °C transported on deck must be stowed “away from” possible sources of ignition. In the case of container ships, a distance equivalent to one container space athwartships away from possible sources of ignition applied in any direction will satisfy this requirement.

[Amdt. 176–1, 41 FR 16110, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 176.76, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 176.77 Stowage of barges containing hazardous materials on board barge-carrying vessels.

(a) A barge which contains hazardous materials may be transported on board a barge-carrying vessel if it is stowed

in accordance with the requirements of this section.

(b) A barge which contains hazardous materials for which only “on deck” stowage is authorized must be stowed above the weather deck and be vented to the atmosphere.

(c) A barge which contains hazardous materials for which both “on deck” and “below deck” storage is authorized may be stowed above or below the weather deck.

§ 176.78 Use of power-operated industrial trucks on board vessels.

(a) *Power Operated trucks.* A power-operated truck (including a power-operated tractor, forklift, or other specialized truck used for cargo handling) may not be used on board a vessel in a space containing a hazardous material unless the truck conforms to the requirements of this section. The COTP may suspend or prohibit the use of cargo handling vehicles or equipment when that use constitutes a safety hazard.

(b) Each truck must have a specific designation of Underwriter’s Laboratories or Factory Mutual Laboratories. Any repair or alteration to a truck must be equivalent to that required on the original designation.

(c) *Description of designations.* The recognized testing laboratory type designations are as follows:

(1) An “E” designated unit is an electrically-powered unit that has minimum acceptable safeguards against inherent fire hazards.

(2) An “EE” designated unit is an electrically-powered unit that has, in addition to all the requirements for the “E” unit, the electric motor and all other electrical equipment completely enclosed.

(3) An “EX” designated unit is an electrically-powered unit that differs from the “E” and “EE” unit in that the electrical fittings and equipment are so designed, constructed, and assembled that the unit may be used in certain atmospheres containing flammable vapors or dusts.

(4) A “G” designated unit is a gasoline-powered unit having minimum acceptable safeguards against inherent fire hazards.